

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of August 18, 2011

Thursday, August 18, 2011, 9:00 a.m.
Basement Conference Room B-1
1400 W. Washington, Phoenix, AZ 85007

Board Members Present:

Board Chair Bill Cohagen
Vice Chair John O'Donnell
Jeannette Kieffer
Chuck Ramirez
David Sanderson
Becky Brimhall

Board Members Absent:

Toni Rodriguez

Staff Present:

David Geriminsky

Legal Counsel:

Nancy Beck

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Authored by: Valarie Wallace

Recommended by: David Geriminsky

Approved by the Board on September 15, 2011

Board of Respiratory Care Examiners Board Meeting Minutes

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CALL TO ORDER

The Meeting was called to order at 9:00 a.m. by Board Chair Bill Cohagen.

CONSENT AGENDA

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All items listed with “C” are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item R-2.

MOTION ON THE CONSENT:

There being no items requested to be removed, a motion was made by **David Sanderson** to approve all items on the Consent Agenda. **Toni Rodriguez** seconded. **The Motion Passed**

C-1 APPROVAL OF MINUTES

Recommended for Approval

July 21, 2011

C-2 ACTION ON APPLICATIONS FOR LICENSURE

i. Permanent License Issuance

Recommended for approval by the Executive Director

Kara Adams	Dwight Austin	Adam Brown	Brandi Bryant-Mayes
Michelle Bucholz	Jeremy Busche	David Cash	Devon Clark
Karen Clingan	Larry Conn	Colene Davis	Aretha Dempsey
Wilfredo Dominguez	John Donovan	Gregory Dyrness	Dominique Edwards
Jeri Fouts	Kristina Gallarazo	Christopher Galvan	Tanasha Grebiner
Kathryn Green	Ana M. Hernandez	Timothy Hickman	
Isabelle Hilton-Papadimitriou		Darrell John	
Cheryl Kingsley-Radvan		Jessica Landrum	Charlene Lundberg
Katheryn Lynn	Mayra Lomba	Hermann Makoubi	Martha McLaughlin
Travis Myers	Lily Nguyen	Joseph Ochotorena	Renee Ochsner
Erin Phelps	Tina Pollock	Fernando Rodriguez	Raul Rodriquez
Juan Ruiz	Susan Scheel	Royale Schulze	Gaye Stocke
Rebecca Stokes	Elvia Stump	Mark Stump	Keila Thomas

Christopher Trammell	Jordan Van Vuuren	Melissa Villalobos	Aubrey White
Ceola Wright			

ii. Re-Application for Permanent Licensure

Recommended for approval by the Executive Director

Suzanne Chapman	Natasha Johnston	Douglas Krawiec	Jason Vanloo
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iii. Ratification of Temporary Licenses Issued Pursuant to A.R.S. § 32-3521

Recommended for Ratification by the Executive Director

Brenda Alvarez	Melodie Anderson	Scott Barthol	Jessica Bonett
Jewel Boser	Ashtin Diehl	Christopher Ellis	Trey Gridley
Adam Kienlen	Vanessa Kingsfield	Donald Lenz	Cynthia Molle
Jami Roberts	Synthia Stubbs	Rene Taus	LaShelia Walker
Brent Wheeler	Stephen Yoder		

iv. Ratification of Temporary License Extension Issued pursuant to A.R.S. § 32-3521

Recommended for Ratification by the Executive Director

None

C -3 ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES

Recommended for closing of application files

Christina Celardo

C - 4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Julia Alva	Karen Anderson	Katrina Bogman	Gina Cerro
James Dixon	James Elam	Christopher Henderson	Robert James
Frank Keach	Sarah Koss	Ronald Malinski	Robert Moreno
Francis Noble	Samuel Peters	Danielle Philbin	Steve Plouffe
Colonda Robinson	Gayle Schultz	Arielle Sloan-Kuritzky	Barbara Sons
Jasmine Vidal			

C - 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Dana Blanton	Lily Cheung	Andreas Criel	Thomas Dupuis
George Gomez	Kimberly Grimsley	Laura Johnson	Lois Kimball
Lydia Kimmens	Mallory Lehouillier	Sanisya Longoria-Lett	Rebecca Moysey
Shanna Neuman	Christina Randall	Jesse Readus	Michelle Rose
Erica Walls	John Wilson		

C -6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

None

C-7 ACTION ON RATIFICATION OF CONSENT AGREEMENTS AND LETTERS OF WARNING ISSUED

Items listed here will be proposed documents for the Board's consideration. The Board may choose not to ratify these documents, remove them from the Consent Agenda, and place them in the Regular Agenda under Item R-2.

Stipulation and Consent Orders, and Letters of Warnings Issued, once ratified by the Board shall constitute public records which may be disseminated as formal actions of the Board.

A. Decision on Accepting Proposed Consent Agreements

Mark Davis

Case Number C002789-12-005084

B. Decision on Accepting Proposed Letters of Warning Issued

None

C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, September 15, 2011, at 9:00 a.m.

REGULAR AGENDA

R-1 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

i. Board Office Highlights

The Executive Director updated the Board on the State hiring freeze and budget process as well as discussed the re-write of the Board's licensing Database noting that ASET has agreed to bear the cost of the database fix excepting any additional functionality that the Board requests.

ii. Felony Conviction Policy

The Board directed its Executive Director to draft a new Complaint matrix including Felony Convictions with the Board's Assistant Attorney General and find information as to the process to have ones civil rights restored after being convicted of a Felony.

R-2 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

None

R-3 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE/RENEWAL

A. Application for Licensure/Interview

1. Stephen Ulmer Case Number C002759-11-009863

Mr. Ulmer was present. The Executive Director provided an overview of Mr. Ulmer's application, stating that he is eligible for licensure. After discussion, **David Sanderson** moved to grant Mr. Ulmer a license to practice and issue a Letter of Concern for failure to disclose his past criminal history. **Board Vice-Chair John O'Donnell** Seconded. **The motion passed unanimously.**

B. Re-Application for Licensure/Interview

1. Dennis Mayer Case Number A002792-12-010065

Mr. Mayer was present. The Executive Director provided an overview of Mr. Mayer's application, stating that he is eligible for licensure. After discussion, **David Sanderson** moved to grant Mr. Mayer a license to practice. **Board Chair Bill Cohagen** Seconded. **Becky Brimhall and Charles Ramirez** voted Nay. **The motion passed.**

2. Robert Kusmierz Case Number A002795-12-010192

Mr. Kusmierz was present. The Executive Director provided an overview of Mr. Kusmierz's application, stating that he is eligible for licensure. After discussion, **Becky Brimhall** moved to grant Mr. Kusmierz a license to practice. **Board Chair Bill Cohagen** Seconded. **The motion passes unanimously.**

R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

1. Michelle Berry

Case Number C002786-12-007736

Ms. Berry was not present. The Executive Director explained the allegations against Ms. Berry. Mr. Berry was terminated from West Valley Hospital for unprofessional conduct. After discussion, **Charles Ramirez** moved to invite Ms. Berry to an Informal Interview. **Jeanette Kieffer** seconded. **The motion passed unanimously.**

2. Michelle Bozzola

Case Number C002793-12-007974

Ms. Bozzola was not present. The Executive Director explained the allegations against Ms. Bozzola. Ms. Bozzola was terminated from Cobra Valley Community Hospital for a positive drug screen. After discussion, **Board Chair** moved to Summary Suspended Ms. Bozzola's license and Issue a Complaint and notice of Hearing. **Board Vice-Chair John O'Donnell** Seconded. **The motion passed unanimously.**

3. Luis Chavez

Case Number C002788-12-005904

Mr. Chavez was not present. The Executive Director explained the allegations against Mr. Chavez. After discussion, **David Sanderson** moved to dismiss the complaint against Mr. Chavez. **Jeanette Kieffer** seconded. **Board Chair Bill Cohagen** voted Nay. **The motion passed.**

4. Sean Friel

Case Number C002781-12-001578

Mr. Friel was not present. The Executive Director explained the allegation against Mr. Friel. Mr. Friel failed to notify the Board office of an employee termination and criminal traffic convictions, in timely manners. After discussion, **Charles Ramirez** moved to invite Mr. Friel to an Informal Interview. **Board Vice-Chair John O'Donnell** seconded. **The motion passed unanimously.**

5. Nicolas Gonzales

Case Number C002790-12-009047

Mr. Gonzales was present. The Executive Director explained the allegations against Mr. Gonzales. Mr. Gonzales worked for 18 shifts without a license at Arizona Heart Hospital. After discussion, **Board Chair Bill Cohagen** moved to offer Mr. Gonzales a Consent Order placing his license on **Disciplinary Probation**. **Jeanette Kieffer** seconded. **The motion passed unanimously.**

6. Sharon Jackson

Case Number C002791-12-000038

Ms. Jackson was present. The Executive Director explained the allegation against Ms. Jackson. After discussion, **Board Chair Bill Cohagen** moved to dismiss the complaint against Ms. Jackson. **Board Vice-Chair John O'Donnell** seconded. **The motion passed unanimously.**

**R-5 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS
PURSUANT TO A.R.S. § 32-3553(G)**

1. Kevin Burke

Case Number C002768-11-008444

Mr. Burke was not present. The allegation against Mr. Burke is as follows:

- Maricopa County Superior Court submitted to the Board office in writing that Mr. Burke was convicted of a Class 6 Undesignated Felony Possession of Burglary Tools.
- Mr. Burke submitted a letter on August 13, 2011, apologizing for not disclosing anything criminal convictions to the Board office and that he is currently being charged with another crime.

After discussion, **Board Chair Bill Cohagen** moved to issue a Formal Complaint and Notice of Hearing. **Becky Brimhall** seconded. **The motion passed unanimously.**

2. Leslie Gurule

Case Number C002771-11-003647

Ms. Gurule was present. The allegation against Ms. Gurule is as follows:

- Ms. Gurule was terminated from Mt. Graham Regional Medical Center on June 23, 2011, for a positive drug screen.
- Ms. Gurule did sign a Temporary Agreement not to Practice.

After discussion, **Board Chair Bill Cohagen** moved to table this matter. **Becky Brimhall** seconded. **The motion passed unanimously.**

3. Jessica Middaugh

Case Number C002775-11-008744

Ms. Middaugh was not present. The allegation against Ms. Middaugh is as follows:

- Ms. Middaugh was terminated from Banner Baywood Medical Center on June 29, 2011, for a positive drug screen.
- Ms. Middaugh did sign a Temporary Agreement not to Practice on June 29, 2011

Ms. Middaugh submitted a letter requesting that the Board table this interview since she is currently in California. After discussion, **Board Chair Bill Cohagen** moved to table Ms. Middaugh's Informal Interview. **Becky Brimhall** seconded. **The motion passed unanimously.**

R-6 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

None

R-7 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION Informal Interview Regarding Probation Compliance

1. Brian Curdo Case Number C002502-10-008833

Mr. Curdo was present. Mr. Curdo requested to have his current order of probation modified or lifted. After discussion, **Board Chair Bill Cohagen** moved to lift Mr. Curdo's current order of probation. **Jeanette Keiffer** Seconded. **The motion passed unanimously.**

2. Antonio Norton Case Number C002552-10-004157

Mr. Norton was present. Mr. Norton requested to have his current order of probation modified or lifted. After discussion, **Becky Brimhall** moved to lift Mr. Norton's current order of probation. **Board Chair Bill Cohagen** Seconded. **The motion passed unanimously.**

R-8 CALL TO THE PUBLIC

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

There was no public presentation to the Board.

R-9 ADJOURNMENT

Board Chair Bill Cohagen adjourned the meeting at 11:50 a.m., without objection

DATED this ____ day of August, 2011

David Geriminsky

Executive Director